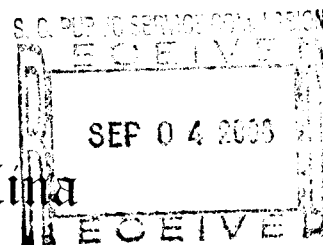
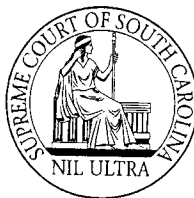


194798



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA 29211

(803) 734-1080

FAX (803) 734-1499

September 3, 2008

John M.S. Hoefer, Esquire  
Benjamin P. Mustian, Esquire  
Willoughby & Hoefer, PA  
P O Box 8416  
Columbia, SC 29202

Florence P. Belser, Esquire  
C. Lessie Hammonds, Esquire  
Shannon B. Hudson, Esquire  
Office of Regulatory Staff  
PO Box 11263  
Columbia, SC 29211

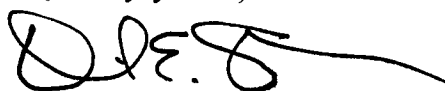
Re: Carolina Water v. Regulatory Staff - 2006-92-W

Dear Counsel:

Enclosed is the order issued in the above entitled matter in regard to your Consent Motion to Hold Appeal in Abeyance and to Remand.

Please be advised that this appeal is held in abeyance pending action by the Public Service Commission on the settlement agreement.

Very truly yours,

  
CLERK

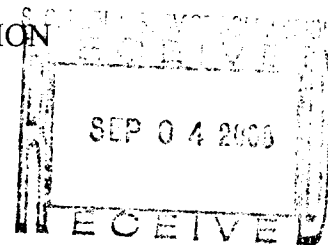
DES/jjp

cc: Laura Puccia Valtorta, Esquire  
The Honorable Charles L.A. Terreni

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM THE PUBLIC SERVICE COMMISSION

Docket No. 2006-92-WS



Carolina Water Service, Inc.,.....Appellant,

v.

South Carolina Office of Regulatory Staff, .....Respondent.

**ORDER**

This matter is before the Court on the Consent Motion to Hold Appeal in Abeyance and to Remand filed by the parties pursuant to Rule 224, SCACR in the above case. The parties seek to have the instant appeal held in abeyance and the underlying matter remanded to the Public Service Commission (“Commission”).

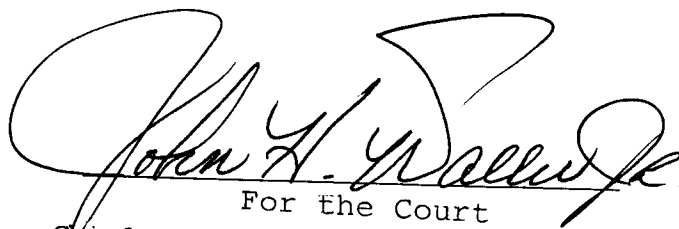
Carolina Water Service, Inc. (“CWS”) and the South Carolina Office of Regulatory Staff (“ORS”) are the only parties to this appeal and were the only parties of record below. The parties have requested that this appeal be held in abeyance until December 31, 2008, and that this case be remanded so that the Commission may reconsider its determination to reject the August 30, 2006 settlement agreement previously submitted to the Commission by CWS and ORS.

Under the terms of the parties’ Consent Motion, the Commission would be authorized to hold any hearings it deems reasonable and necessary on remand to consider again the settlement agreement. The issues would be required to be decided solely on the evidence of record, and

only CWS and ORS, the only parties to the case, may appear and present evidence. The parties further move that if the Commission were to approve the parties' August 30, 2006, settlement agreement on remand, the parties would so notify the Court and the instant appeal would be deemed mooted. On the other hand, should the Commission determine not to approve the parties' August 30, 2006, settlement agreement on remand, or has not issued its order on remand by December 31, 2008, this appeal would proceed before the Court and CWS would file its initial brief and designation of matter on or before February 28, 2009.

Upon careful consideration of the parties' Consent Motion to Remand, this case is hereby remanded to the Commission with instructions for the parties and the Commission to proceed as set forth above<sup>1</sup>.

IT IS SO ORDERED.

 . A.C.J.  
For the Court  
Chief Justice Jean H. Toal, not participating.

Columbia, South Carolina

September 3, 2008

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<sup>1</sup> Rates are currently in effect under bond pursuant to the provisions of S.C. Code Ann. § 58-5-240(D) (Supp. 2007). This Order is not a final determination on Appellant's appeal and therefore has no effect upon the rates under bond continuing to be charged pursuant to Section 58-5-240(D).